

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C. 20554

DEC 13 2005

OFFICE OF  
MANAGING DIRECTOR

Russell H. Fox, Esq.  
Mintz Levin  
Counsel for PetroCom License Corporation  
701 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Re: PetroCom License Corporation  
Request for Extension of FY 2005  
Regulatory Fee Payment Deadline  
Fee Control No. 00000RROG-05-068

Dear Mr. Fox:

This responds to your September 28, 2005 letter requesting waiver of the penalty for late payment of the fiscal year (FY) 2005 regulatory fees for PetroCom License Corporation (PetroCom), whose offices are located in Harahan, Louisiana, a suburb of New Orleans. Our records show that the FY 2005 regulatory fee in the amount of \$205, and late fee in the amount of \$51.25, were paid on September 28, 2005. As explained below, we find that PetroCom is not subject to any penalty for late payment of the FY 2005 regulatory fee.

In your letter, you certify on behalf of PetroCom that payment of the FY 2005 regulatory fees could not be made in a timely fashion because of circumstances related to Hurricane Katrina. You state that PetroCom provides cellular services in the Gulf of Mexico and specialized mobile radio services in the surrounding areas. You also state that because its facilities are located in the Gulf of Mexico and surrounding areas, it was directly affected by Hurricane Katrina and Hurricane Rita. You further state that due to these circumstances, PetroCom was unable to meet the Commission's September 7, 2005 deadline for payment of the FY 2005 regulatory fee.

The Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. It is the obligation of the licensee responsible for regulatory fee payments to ensure that the Commission receives the fee payment no later than the final date on which regulatory fees are due for the year. See 47 C.F.R. § 1.1164.

On August 31, 2005, the Commission extended the payment deadline for those licensees and regulatees in the areas affected by Hurricane Katrina from 11:59 p.m. September 7, 2005, to 11:59 p.m. September 28, 2005.<sup>1</sup> For all others, i.e., those not affected by the hurricane, the previous announced window remains in effect, and the Commission's rules

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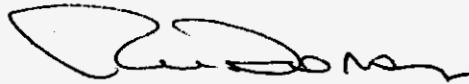
<sup>1</sup> Public Notice, DA 05-2396, August 31, 2005.

concerning late payment or non-payment will be enforced.<sup>2</sup> Licensees and regulatees affected by the hurricane must include a certification that payment could not be made within the previous announced time because of the hurricane.<sup>3</sup>

Based on the information you submitted, we find that PetroCom qualifies for the Commission's extended payment deadline and that payment of its FY 2005 regulatory fees was made in a timely fashion. Accordingly, PetroCom will not be assessed any late penalty.

A check made payable to the maker of the original check and drawn in the amount of \$51.25 will be sent to you at the earliest practicable time. If you have any questions concerning this matter, please contact the Revenue & Receivables Operations Group at (202) 418-1995.

Sincerely,



 Mark A. Reger  
Chief Financial Officer

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<sup>2</sup> Id.

<sup>3</sup> Id.

**MINTZ LEVIN**

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3651

September 28, 2005

**VIA FACSIMILE**

Financial Operations Help Desk  
Federal Communications Commission  
445 12th Street, S.W.  
Washington, D.C. 20554

**Re: PetroCom License Corporation; FCC Registration Number 0001711365  
Request for Waiver of Regulatory Fee Late Payment Penalty**

Dear Sir or Madam:

Our client, PetroCom License Corporation ("PetroCom") today submitted FY 2005 Regulatory Fees, the submission deadline for which was otherwise September 7, 2005. Pursuant to the Public Notice issued by the Federal Communications Commission ("FCC") on August 31, 2005 (DA 05-2396) the undersigned counsel hereby certifies, on behalf of PetroCom that payment of FY 2005 Regulatory Fees could not be made in a timely fashion because of circumstances related to Hurricane Katrina.

PetroCom provides cellular services in the Gulf of Mexico and specialized mobile radio ("SMR") services in the surrounding areas. Its office were located in Harahan, Louisiana, a suburb of New Orleans. Because its facilities are located in the Gulf of Mexico and surrounding areas, it was directly affected by Hurricane Katrina and later Hurricane Rita. Consequently, PetroCom was unable to meet the original FY 2005 Regulatory Fee deadline. To the extent required, PetroCom hereby requests that the FCC waive the 25% late payment penalty, consistent with the August 31, 2005 Public Notice.

Additionally, PetroCom requests that the FCC remove the call sign E040156 from its FCC Fee Filer account because that license is not, and never has been, authorized to PetroCom. Attached is a copy of the license, which shows that it is authorized to the White Mountain Apache Tribe and not PetroCom.

Please let me know if you have any questions regarding this matter.

Very truly yours,



Russell H. Fox

**Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.**

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